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OCT 17 2005

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number CM03852H												
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450" on: October 17, 2005</p> <p>Signature</p> <p align="center"></p> <p>Typed or printed name <u>Nanette Orr</u></p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">In re Application of Michael L. Needham</td> </tr> <tr> <td style="padding: 2px;">Application Number</td> <td style="padding: 2px;">10/027,488</td> </tr> <tr> <td style="padding: 2px;">Filed</td> <td style="padding: 2px;">December 20, 2001</td> </tr> <tr> <td style="padding: 2px;">For</td> <td style="padding: 2px;">METHOD AND APPARATUS FOR CDMA-DISPATCH SOFT HANDOFF</td> </tr> <tr> <td style="padding: 2px;">Art Group</td> <td style="padding: 2px;">2665</td> </tr> <tr> <td style="padding: 2px;">Examiner</td> <td style="padding: 2px;">Tran, Thien D.</td> </tr> </table>		In re Application of Michael L. Needham		Application Number	10/027,488	Filed	December 20, 2001	For	METHOD AND APPARATUS FOR CDMA-DISPATCH SOFT HANDOFF	Art Group	2665	Examiner	Tran, Thien D.
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<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ <u>500.00</u></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ <u>10/18/2005 MBINAS 00000019 502117 10027488</u></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed. 01 FC:1401 500.00 DA</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a Fee Transmittal in duplicate.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any over payment to Deposit Account Number 502117. I have enclosed a Fee Transmittal in duplicate.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p align="center">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>44,798</u></p> <p><input type="checkbox"/> Attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). _____</p> <div style="text-align: right; margin-top: 10px;">  Signature <u>Jeffrey K. Jacobs</u> Typed or printed name <u>847-576-552</u> Telephone number <u>October 17, 2005</u> Date </div> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input checked="" type="checkbox"/> * Total of <u>1</u> forms are submitted.</p>														

This collection of information is required by 37 CFR 1.91. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.